

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SAMUEL MONTERO,

Plaintiff,

-V.-

DOE, et al.,

Defendants.

ORDER

07 Civ. 3228 (VM) (GWG)

GABRIEL W. GORENSTEIN
UNITED STATES MAGISTRATE JUDGE

This matter has been referred to the undersigned for general pretrial purposes.

Each party must immediately inform the Court of any change in that party's address or telephone number in the future. If a party fails to do so, the case may be dismissed or a default entered.

The Court is providing to the parties a pretrial schedule as set forth below. To the extent that any party wishes to object to this schedule, that party shall do so in writing mailed to the undersigned at: 500 Pearl Street, New York, New York 10007 on or before September 29, 2008. The Court will consider all written submissions. Unless the Court orders otherwise, however, the following schedule remains in effect:

1. Any motion to amend the pleadings or join any other parties must be made by October 14, 2008.
2. All notices of depositions, interrogatories or documents requests must be served by defendants on or before October 28, 2008. All witnesses must be deposed by the defendants on or before December 29, 2008.
3. Defendants shall respond to the Standard Discovery in Prisoner Pro Se Actions pursuant to Local Civil Rule 33.2, to the extent applicable, by November 28, 2008.
4. Disclosures of the identities and reports of experts, if any, as required by Rule 26(a)(2)(A) and (B) will be made by November 28, 2008.


The disclosure of identities and reports of any expert intended by an opposing party solely to rebut previously-disclosed expert evidence shall be made by December 12, 2008.

5. Depositions of experts shall be completed by December 29, 2008.
6. **All discovery must be completed by** December 29, 2008.
7. If a party intends to file a dispositive motion, that party must so state to all other parties in writing on or before **December 29, 2008**. In addition, if the assigned District Judge has a pre-motion conference requirement, that party must make the request to the District Judge for such conference on or before December 29, 2008 and send a copy of that request to the undersigned.
8. If the district judge has no pre-motion conference requirement, all pretrial motions, if any, must be filed by January 26, 2009. Such motion shall comport with the requirements for motions reflected in the assigned District Judge's Individual Practices.
9. Plaintiff will supply pretrial order materials to defendant(s), in accordance with the Individual Practices of the assigned District Judge, on or before January 26, 2009.
10. The parties will submit a joint pretrial order in accordance with rules of the assigned District Judge, on or before February 9, 2009. In the event any party fails to cooperate in the production of the joint pretrial order, each party shall submit to the Court its own portion of such order.
11. Should a dispositive motion be timely filed by any party, the dates listed in paragraphs 9 and 10 shall be extended until 30 days and 45 days respectively following the disposition of the dispositive motion.
12. Failure to comply with the terms of this Order may result in sanctions. Any application for an extension of the time limitations herein must be made as soon as the cause for the extension becomes known to the party making the application. The application also must state the position of all other parties on the proposed extension and must show good cause therefor not foreseeable as of the date of this Order. Any application not in compliance with this paragraph will be denied.
13. Discovery motions -- that is, any application pursuant to Rules 26 through 37 or 45 -- not only must comply with ¶ 2.A. of the Court's Individual Practices but also must be made promptly after the cause for such a motion arises. In addition, absent extraordinary circumstances no such application will be considered if made later than 30 days prior to the close of discovery. Untimely applications will be denied.

Please be aware that the Pro Se Office at the United States Courthouse, 500 Pearl Street, Room 230, New York, New York ((212) 805-0175) may be of assistance in connection with court procedures.

Dated: New York, New York
August 29, 2008

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Gabriel W. Gorenstein', written over a horizontal line.

GABRIEL W. GORENSTEIN
United States Magistrate Judge

Copies to:

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